

MUCKLEROY LUNT, LLC

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Peak Finance, LLC

(additional counsel on signature page)

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PEAK FINANCE, LLC, Derivatively on
Behalf of Nominal Defendant, COOL
TECHNOLOGIES, INC.,

Plaintiff,

vs.

TIMOTHY J. HASSETT, QUENTIN D.
PONDER, JUDSON W. BIBB III,
THEODORE H. BANZHAF and MARK
HODOWANEC,

Defendants,

and

COOL TECHNOLOGIES, INC.,

Nominal Defendant.

Case No. 2:15-cv-01590-GMN-CWH

STIPULATION AND [PROPOSED] ORDER
TO CONTINUE THE BRIEFING SCHEDULE
FOR DEFENDANTS' MOTION TO DISMISS
THE VERIFIED AMENDED
SHAREHOLDER DERIVATIVE
COMPLAINT

(PLAINTIFF'S SECOND REQUEST)

Pursuant to LR 6-1, Plaintiff and Defendants jointly stipulate to continue the briefing schedule relating to Defendants' pending Motion to Dismiss Complaint, which Defendants filed on November 9, 2015, so that Plaintiff's response will be extended from November 27, 2015 to December 4, 2015. The requested extension is sought in the interest of justice and not for the purpose of delay. None of the parties will be prejudiced by the requested extension.

1 Dated: November 23, 2015

Respectfully submitted,

2 **GORDON SILVER**

FARUQI & FARUQI, LLP

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8 *HPEV, Inc. and Defendants Timothy J.*
9 *Hassett, Quentin D. Ponder, Judson*
W. Bibb, Theodore H. Banzhaf and
Mark Hodowanec

By: /s/ Timothy J. Peter
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18 *Attorneys for Plaintiff*
Peak Finance, LLC

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20 IT IS SO ORDERED:

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24 UNITED STATES DISTRICT JUDGE

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26 November 24, 2015

27 DATED: _____